

APPENDICES

Appendix 1 – Special Stipulations for Burning Man Event

**SPECIAL RECREATION PERMIT STIPULATIONS
BURNING MAN 2006-2010**



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PERMIT ADMINISTRATION

In addition to the 15 conditions and stipulations listed on the back of the Special Recreation Permit Form 2930-1, the following Special Stipulations apply to the Burning Man Event.

GENERAL

1. Based on evaluation of the Burning Man Operating Plan, the event is authorized for up to 40,000 participants.
2. These stipulations incorporate procedures identified in the Burning Man Operating Plan. If there is a conflict between the Operating Plan and the stipulations listed below and attached to the permit, the stipulations shall control.
3. The location shown on Map 1 is to be utilized by Black Rock LLC for the Burning Man event. The event will be alternated on a yearly basis between Site A and Site B. Site A will be used on odd numbered years and Site B will be used on even numbered years.
4. The authorized period of use and other applicable dates associated with the event for the 2006 through 2010 period are shown in the table below. Site layout and surveying is authorized as shown in the 2nd column. BRC LLC is authorized to occupy the event site and construct structures and facilities within the range of dates shown in the 3rd column. Temporary facilities and construction of the perimeter/boundary trash fence and airport runway will not be initiated prior to the earliest date in the 3rd column. The event is authorized for the period shown in the 3rd column. Takedown and removal of all above ground material (items that could pose a hazard to other playa users) will be completed by the later date in the 4th column. The final phase of cleanup and restoration will be completed by the date shown in the last column. No permanent structures will be constructed on public land.

Year	Survey & Layout Start	Period of Use/ Site Occupancy	Event Period	Cleanup Completion
2006	08/04	08/11-09/18	08/28-09/04	10/04
2007	08/03	08/10-09/17	08/27-09/03	10/03
2008	08/01	08/08-09/15	08/25-09/01	10/01
2009	08/07	08/14-09/21	08/28-09/04	10/07
2010	08/06	08/13-09/20	08/27-09/03	10/06

5. BRC LLC acknowledges that this authorization may be amended only in writing by the authorized officer.
6. Upon advance notice to the permittee, the BLM reserves the right to alter the terms, conditions, and stipulations of the permit at any time for reasons such as changes in policy or administrative procedure, to prevent use conflicts, to protect public safety, or to prevent resource damage.
7. The BLM, or duly authorized representative, may examine upon request any of the records including, but not limited to, financial records, contractual agreements, licenses, number of tickets sold, or other documents related to the permitted operations.

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8. The permittee shall post a copy of the Special Recreation Permit (Form 2930-1) and permit stipulations in plain view at Center Camp where cooperators and participants have an opportunity to read it.
9. Any violation of the permit terms, conditions and stipulations may be subject to penalties prescribed in 43 CFR 2930. Additionally, any such violation may result in permit revocation, suspension, or probation. Violations may also be cause for the BLM to deny approval of a subsequent Permit or Operating Authorization.
10. BRC LLC shall provide a member of its board, or an authorized representative, around the clock during the event who is authorized to represent and act on its behalf to coordinate as needed with BLM, law enforcement and other event cooperators on issues requiring action.
11. BRC LLC personnel shall meet with BLM staff and representatives from the various cooperators daily at 4:15 p.m. and at such other times and places as are needed. At these meetings BRC LLC shall provide daily attendance updates and exchange other information necessary to meet the needs of BLM and event cooperators.
12. Commercial activities are prohibited within BRC, unless specifically authorized in advance by BLM and BRC LLC. BRC LLC will inform BLM representatives of unauthorized commercial operations discovered operating at the event. This includes but is not limited to commercial film production, photography, food services or other independent commercial ventures not-affiliated with BRC LLC.
13. A ticket to attend the event is a permit, which can be revoked for good cause by BLM. Such good cause includes, but is not limited to: repeated violations of any permit stipulations or regulations in Title 43 CFR; possession of prohibited weapons; and/or committing an assault, fighting, or similar conduct.

FEDERAL CLOSURE ORDERS

14. BRC LLC shall comply with all permit requirements and conditions as identified in the permit issued and as authorized for any given year and with all applicable supplemental regulations (i.e. closure orders, fire restrictions, etc.) in effect during the event as identified in the table below.

Closures to public uses include:

Type of Closure	Start	End
Possession of Firearms within perimeter fence. Discharge of Firearms within 2 miles of the perimeter fence.	14 days prior to the event	14 days after the event

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Type of Closure	Start	End
Camping and Motorized Vehicles Creating Dust within one-mile of the perimeter fence. Operation of Motor Vehicles prohibited within the event except as provided for in Stipulation 34. Closed to all public uses within a designated area (to be defined in the yearly closure orders) west and south of the perimeter fence encompassing the airport, entrance road, and ticket area. Possession of Fireworks prohibited within the perimeter fence	Start of the event	End of the event
Aircraft Landing (except by participants on the strip) within 2 miles of the perimeter fence. Closed to motorized vehicles and camping within a 50 yard buffer outside the perimeter fence.	3 days prior to the event	End of the event
Unauthorized camping within the perimeter fence	End of the event	14 days after the event

REQUIRED COORDINATION**15. Meetings Required with Affected Parties.**

- The permittee shall confer with the Washoe County Sheriff's Office prior to the event to address local issues and concerns.
- A representative from BRC LLC will meet with representatives from BLM prior to the event to coordinate logistics for operation of the communication compound.
- A representative from BRC LLC will meet with representatives from BLM prior to the event to coordinate the operation of the airport.
- BRC LLC shall meet with the Pyramid Lake Paiute Tribe to address concerns and impacts to Tribal reservation resources anticipated from the Burning Man event.

16. BRC LLC shall provide for adequate enforcement of state and local laws. At a minimum, the level of local law enforcement coverage will be equivalent to that provided for the 2005 operation. BRC LLC will make arrangements with Pershing County to provide reasonable levels of patrol, investigation, and operational overhead capabilities on a 24 hour per day basis for the 14 day period of the event. Nothing within this stipulation is intended to limit

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local law enforcement's authority or ability to provide additional levels of coverage as it may deem appropriate. Written evidence of the agreement showing compliance with this stipulation must be provided to BLM by BRC LLC within 45 days after issuance of the Special Recreation Permit, or 30 days prior to the start of the event, whichever is the sooner.

17. BRC LLC will develop and implement a plan to control adult activities and minors at the event. The plan should include measures such as educating and requiring parents/guardians to supervise their children, zoning the city, and making every effort to educate adult related theme camps about the need for having a gatekeeper during hours when the camp might not be suitable for minors. BRC LLC will make every effort to enforce actions identified in the plan.

RESOURCE PROTECTION

PLAYA SURFACE PROTECTION

Authorized Fires

18. Organizers of each "Art Burn" and BRC LLC are responsible for implementing procedures for the complete cleanup of each burn site, including, but not limited to:
 - a. Removal of ash.
 - b. Removal of unburned material such as nails, screws, and glass.
 - c. Scarification and raking to eliminate resulting burn scars.

Pits and Holes

19. BRC LLC will limit excavation of pits and holes to those absolutely necessary for administration of the event. This includes holes and pits excavated by participants. All pits and holes will be backfilled, wetted and compacted by physical tamping to minimize post-event pit depressions.
20. Prior to initiating any actions that require extensive blading or dragging of the playa surface, the permittee will coordinate reclamation activities with the appropriate BLM official.
21. BRC LLC will make educational materials available to participants prior to the event that explain the need to inspect vehicles and repair or modify those with drips of oil or other fluids. BRC LLC will also train staff involved with greeting participants to identify vehicles likely to have an increased risk of oil or fluid drips, inspect suspect vehicles and take appropriate actions to minimize contamination from leaking vehicles. Black Rock LLC will advise the use of materials, such as cardboard, hazmat pads, or drip pans to minimize impacts.

CULTURAL RESOURCES

22. In addition to Stipulation # 15 on the back of Form 2930-1:
 - a. All participants and support staff will be informed that collection, excavation or vandalism of archaeological artifacts or sites is illegal on public land. The BLM shall be notified immediately upon discovery of archaeological artifacts (objects greater than 50 years old) or human remains.

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- b. BRC LLC shall comply with 43 CFR 7.18 and shall not make available to the public any information concerning the nature and location of any archaeological resource.
 - c. Should BRC LLC discover an archaeological resource it must stop all activities in the discovery vicinity and protect the discovery until event completion or until notified otherwise by the authorized officer.
23. BRC personnel will discourage travel, including travel by aircraft, to other historical, cultural, recreational or geographical resources in the Black Rock Desert area during the event. BRC LLC will discourage participant use of hot springs for the purpose of bathing, or extracting mud or water.
24. BRC LLC will coordinate with BLM to provide orientation training to the Black Rock Rangers and volunteers who participate on spring patrols and event cleanup. The orientation(s) will address cultural resource protection and safety.

CAMPING AND RECREATION USES

25. Burning Man participants are required to camp within the fenced event boundary in areas designated for camping by BRC LLC except for participants camping with their aircraft at the airport.
26. Camping is prohibited within BRC two weeks before and two weeks after the event period, with the exception of authorized BRC staff, contractors, volunteers and other authorized participants either constructing or taking down art works or theme camps. BRC LLC will provide the appropriate identification to authorized personnel (i.e. staff ID, decals, designated camping areas, etc.)
27. Fires not contained by authorized raised platforms, designated fire barrels or elevated barbeques are prohibited.
28. BRC LLC shall inform staff and participants of the backcountry use ethics as reflected in the programs Tread Lightly! and Leave No Trace tailoring the concepts to fit a large city and encourage individual responsibility and accountability. BRC LLC shall assure Tread Lightly! and Leave No Trace information is disseminated to personnel and participants in handouts, through Internet home page/website resources and other communication venues as available.
29. BRC LLC will assist the BLM with researching methods to mitigate the development of burn scars and continue developing methods and techniques for effectively treating other adverse human-induced playa impacts.

FUGITIVE DUST

30. The following stipulations are required to manage for air quality and surface erosion:
- a. With the exception of those roads specially authorized in advance by BLM, no dust pallatives will be used to control fugitive dust. Water without additives will be used for fugitive dust control within BRC.
 - b. Fugitive dust suppression efforts on roads will be performed at a minimum of once daily by watering to keep fugitive road dust at a minimum during event operation and during and after event closure.

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- c. Before the final inspection, all disturbed areas within the event site will be watered, including the airstrip, and within the trash/security fence to fix fugitive dust to the playa surface.
- d. Water trucks used for dust control will carry prominent signs stating “Non-Potable Water – Avoid Contact”. Signs must remain visible at all times.
- e. BRC LLC will provide BLM with their plan to provide water for fugitive dust control at the pre-event cooperator’s meeting.

SOLID WASTE MANAGEMENT

- 31. BRC LLC is responsible for all trash removal and cleanup. Trash will be transported to an appropriate landfill and deposited accordingly. Specifically BRC LLC will:
 - a. Provide dumpsters of a size and number sufficient to accommodate the event.
 - b. Dumpsters will be hauled when full to ensure proper disposal and timely rotation of full versus empty containers.
 - c. Burying of waste material, of any kind, is prohibited on public land.
- 32. Permittee shall install a 360° event perimeter/boundary trash fence. Any accumulation of trash that appears to be spilling over the fence or passing through a fence break will be collected. Fence breaks will be repaired immediately upon discovery. Permittee shall construct the southwest and southeast flanks of the perimeter fence prior to installation of other facilities to safely direct vehicular traffic around the site.
- 33. The following areas of special concern will be patrolled by the Burning Man staff for cleanup of event-related trash: County Road 34 from the “8-Mile” entrance to State Route (SR) 447, SR 447 from the intersection with County Road 34 to Wadsworth and from Gerlach to the California state line, and SR 446 from Nixon to SR 445 near Sutcliffe.

SIGNAGE

- 34. BRC LLC shall provide and post signs, as determined by the authorized officer. All signs manufactured by BRC for use on state or county roads will be made to standards comparable to NDOT regulations.
- 35. The following items will be in place no later than 5 days prior to the event:
 - a. Sign posted at event entrance that reads, “The use of personal fireworks or sale of fireworks is prohibited”.
 - b. Orange trash fences, construction cones, signs or other structures should be placed on the closed roads that lead into the city. Signs should say that the road is closed and provide alternate access information.
 - c. Signs identifying the public closure area should be posted appropriately around the perimeter of the event to warn non-participants.
 - d. Signs to provide the public with information concerning closures and available playa access points during the event should be located along County Road 34 to the north and south of the event.
 - e. Maps depicting public closures should be located at all public playa entrances
 - f. Signs depicting the route to the event access/exit and the access/exit turnoff on County Road 34.

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- g. Caution signs and lighting will be placed along County Road 34 in both directions out from the event access and at other prominent or strategic locations around the event to forewarn travelers of traffic safety hazards and the event ahead.
- h. Sign posted at event entrance that reads, "Possession of firearms is prohibited."

TRANSPORTATION MANAGEMENT

MOTORIZED VEHICLES

- 36. Operation of motorized vehicles including motorized skateboards (go-peds) with/without handles, within the event area shall be in accordance with applicable laws, regulations, policies, and stipulations, and in accordance with supplementary rules developed by BRC LLC. In accordance with 43 CFR 8343 requirements, all vehicles will be equipped with adequate lighting during night hours, and must be operating in a safe manner. Such use shall be restricted to open streets within the City, with the following exceptions: Mutant vehicles registered with BRC LLC, BRC LLC staff and support; BLM, medical, law enforcement, and firefighting vehicles.
- 37. BRC LLC shall require pedestrian traffic and use of bicycles within the event boundary fence except as provided in Stipulation 34.
- 38. All Mutant Vehicles registered with BRC LLC, BRC staff and support vehicles, and any other vehicles authorized to operate outside of the open streets within Black Rock City, shall display their authorization so that it is visible to the rear of the vehicle while the vehicle is in motion.
- 39. No motor vehicles are allowed within the walk-in camping area during the event.
- 40. Participants shall use the designated entrance lane to access and exit the event.
- 41. The following are authorized to drive on the south side of the entranceway (within 100' of the south fence line) and use the law enforcement entrance:
 - a. BRC LLC green transportation bus (a.k.a. Green Tortoise).
 - b. Emergency, law enforcement and authorized BLM support staff vehicles. BRC LLC staff and support personnel authorized by BRC LLC.
 - c. Approved contractors and vendors.
 - d. Vehicles shall be clearly marked to identify them as staff or contractors if appropriate. Permit needs to clearly state dates and times permit is valid.

TRAFFIC CONTROL

- 42. Coordination with County and State Highway Traffic Management Agencies
 - a. BRC LLC shall coordinate with the Nevada Department of Transportation for traffic control at County Road 34 entrances/exits to BRC, the "Y" intersection of State Road 447 and County Road 34, and the towns of Gerlach and Empire during heavy traffic periods (prior to, during exit and after the event) to keep traffic moving steadily. Permittee shall obtain a permit from the NDOT to conduct flagging operations as necessary.

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- b. BRC LLC will coordinate efforts with Nevada Highway Patrol, Nevada Department of Transportation and private business owners in Gerlach and Empire to minimize traffic congestion and vehicle back-up on highway 447 and 34. Their plan to address traffic congestion in these areas must be approved by NHP, NDOT, and BLM at least 30 days prior to the event.
- 43. No access roads or trails will be constructed.
- 44. During the event, Burning Man staff and support personnel will not use the 3-Mile playa access, except for emergency situations, and as designated by BRC LLC.
- 45. The 3-Mile and 12-Mile access roads will remain open to the public to allow for other dispersed recreation use and general access. BRC LLC will discourage event participants from using these access roads to access the Burning Man event.
- 46. BRC LLC shall coordinate as needed with appropriate law enforcement agencies to facilitate the exit process. A timed release of vehicles or other appropriate method shall be used to minimize traffic backup on NV 447 and Washoe County 34.

AIRPORT / AIRCRAFT MANAGMENT

- 47. BRC LLC will develop and implement an airport operations plan. Any restrictions to airspace should be coordinated with the Air Route Traffic Control Center (ARTCC) with jurisdiction over the local area.
- 48. BRC LLC shall assign an Aircraft Runway Manager, who will strictly control arrival and departure protocols, parking and over flight rules.
- 49. An aircraft runway will be located outside the BRC boundaries with a taxiway leading to a separate pilot camping and parking area, as identified in the Burning Man Operating Plan.
- 50. Aircraft are prohibited from landing on the playa within 2 miles of the perimeter fence as specified by the closure orders. Burning Man participants, law enforcement, and emergency medical services must use the Airport facilities. Alternate landing locations may be designated by the runway manager for safety purposes or emergency situations.
- 51. A runway approximately 5000 feet long by 60 feet wide is approved and will be marked on the existing playa surface. No surface disturbance beyond removal of transient dunes to assure safety is authorized. The following stipulations apply to the runway:
 - a. The airport runway use is limited to small general aviation only. No air transport or scheduled air carriers will be allowed.
 - b. The runway will be marked to make it visible to pilots and also to alert surface traffic to avoid it. The marking will be removed at event completion.
 - c. Signs with reflectors will be installed at prominent or strategic locations around the event airport to forewarn playa travelers of safety hazards.
 - d. Aviation windsocks are to be placed at each end of the runway to provide pilots with a visual reference of wind speed and direction, and to alert other recreational users on the playa of an operational runway. The windsocks are to be removed at event completion.

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- e. Numbers and threshold markings at both ends of the runway will indicate compass bearing and help define the runway boundaries. These numbers will be painted on the playa surface using a biodegradable agricultural colorant exhibiting properties that will allow it to naturally degrade and disappear when exposed to sunlight.
 - f. BRC LLC shall develop and submit Notices to Airmen (NOTAMS) as appropriate and provide a copy to BLM.
 - g. BRC LLC shall report to FAA authorities and military bases of any non-event aircraft operating in an unsafe manner or any aircraft related incidents or accident near the event.
 - h. BRC LLC shall coordinate with the Federal Aviation Administration concerning the runway operation and management of airspace above the city.
 - i. The airport runway will be watered as needed to suppress fugitive dust.
52. A helipad will be designated and marked for emergency use in the area south of the airport camp.
53. Ultralight aircraft take off/landing areas will be designated in the area to the southeast of the airport camp.
54. The BRC LLC Aircraft Runway Manager will discourage travel by aircraft to other historical, cultural, and geographical resources in the Black Rock Desert area during the event.
55. BRC LLC shall assure radio communications with aircraft using the event runway.
- a. A Common Traffic Advisory Frequency (122.9 MHz) will be used to inform pilots of landing pattern direction and safety information.
 - b. This radio communication will be in effect 24 hours a day for the duration of the event.

HEALTH AND SAFETY

PUBLIC HEALTH & SAFETY

56. BRC LLC shall implement a controlled substance use policy. This policy will be posted and maintained on all public information boards and relayed to participants through other available means. The illegal substance policy as identified in the "Burning Man Operating Plan" will be observed.
57. All structures open to participants will follow Life Safety Code to help insure safety of users and allow for emergency ingress and egress.
58. BRC will make effort to ensure that extension cords that cross main access roads or travel corridors are armored or buried to prevent damage and possible electrocution.
59. BRC LLC will encourage participants to have lighting on bicycles, go peds or on themselves at night to improve visibility and personal safety.
60. BRC LLC shall assume responsibility for public safety and health during all phases of the event, including, but not limited, to the following:

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- a. BRC LLC shall provide state-certified emergency services at the event. At a minimum, EMS services will be available at the paramedic level consistent with current Nevada practices.
- b. Inspecting the permitted area for any existing or new hazardous conditions, e.g., changing weather conditions or other hazards that present risks to employees and/or participants.
- c. Water used for public bathing, including water stored in portable wading pools, and drinking water shall be approved (certified) by the Nevada Bureau of Health Protection Services and Washoe/Pershing County District Health Departments in advance.
- d. Portable swimming pools containing water, and that have a capacity of 50 gallons or more, are prohibited. As used in this section, "pools" includes inflatable wading pools, livestock troughs, and similar objects.

SANITATION

61. BRC LLC will coordinate with appropriate county and state health departments, and the BRC LLC toilet contractor, to provide the proper number of toilets for the peak anticipated event population. The following requirements apply:
 - a. A contingency plan for additional toilets will be in place in case the anticipated population exceeds estimates.
 - b. A minimum of two toilets each will be located in the communities of Gerlach and Empire to reduce impacts on local sewer systems. Toilet locations will be coordinated with the communities involved.
 - c. Banks of toilets will be placed in the Art area and will be identified at night with brightly colored lights above the toilets.
62. Dumping wastewater (grey water or black water) on public lands directly from a vehicle, trailer, wash basin, shower stalls, bath tubs, barrels, pools, or a wastewater containment receptacle is prohibited.

FIRES, PYROTECHNICS, AND FIREARMS

63. Burning of objects or structures that contain plastics and/or other synthetics or any materials that release toxic fumes is prohibited unless specifically authorized by BRC LLC as part of an art burn or pyrotechnic display. Black Rock LLC shall provide public education through the Burning Man website, radio stations, brochures and other literature to encourage compliance of this stipulation.
64. BRC LLC/Burning Man shall abide by fire restriction orders, except for the following as officially approved by BRC LLC in coordination with BLM: official art burns, fireworks events, and open fires within the Burning Man event area that are to be contained on supplied fire pans and fire barrels. Fires not contained by authorized raised platforms, fire pans, barbecues, or barrels are prohibited. The fire pans and fire resistant platforms or other protective materials designed to protect the playa surface can be used by event participants for spontaneous burns in the same manner as the fire pans or fire barrels after the initial art project has been burned.
65. The use of personal fireworks or sale of fireworks is prohibited. A sign stating this will be prominently placed at the site entrance by the permittee no later than 5 days prior to the start

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of the event. BRC LLC shall take reasonable precautions to prevent the sale and/or distribution of fireworks.

66. Only fireworks and pyrotechnics planned, scheduled and approved by BRC LLC in coordination with the Pershing County Sheriffs Department are permitted. Use of any unapproved explosive, fire or incendiary device, is prohibited.
67. With the exception of county, state and federal certified law enforcement personnel under the color of law, possession of firearms is prohibited within the fenced event boundary during the event period. Discharge of firearms will be prohibited for two miles in all directions from the event boundary.
68. BRC LLC and “art burn” organizers will coordinate with the event fire contractor and law enforcement points-of-contact. BRC LLC shall prepare a detailed schedule of sanctioned fireworks and art burn events for review at the daily cooperators coordination meeting, prior to the event/burn. The schedule will include a detailed description of the event/burn, name of responsible person, map location, and approximate time of each event/burn.

EMERGENCY PROCEDURES

69. BRC LLC shall provide a radio station to disseminate public service information, travel advisories and emergency information as necessary.
70. BRC LLC shall develop and cooperate in the implementation of contingency plans for emergencies under any condition including those that would cause event termination (heavy rain, natural disaster, social unrest).
 - a. All individuals, vehicles and property that could safely evacuate the event area would be compelled to exit the event/area by the best route available.
 - b. If an environmental problem occurred requiring event shutdown and/or evacuation:
 - i. All individuals and vehicles that could be safely evacuated would receive assistance from available participating agencies.
 - ii. At such times as favorable conditions permit, a reasonable time frame would be established by BLM Incident Command in consultation with BRC LLC to facilitate safe removal of people, vehicles and event property.
 - iii. A second time frame would be developed by BLM management to facilitate total event cleanup and final closeout inspection.
 - c. If a breakdown of social structure occurs and crowd control procedures are implemented:
 - i. All individuals and vehicles that could be safely evacuated would receive assistance from participating agencies, as available.
 - ii. The BLM incident commander would determine when the situation/conditions were contained and controlled and thus allow a resumption of event activities or event shutdown and exit.
 - iii. At such times as favorable conditions permit, a reasonable time frame would be determined by BLM Incident Command in consultation with BRC LLC to facilitate safe removal of people, vehicles and event property.

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- iv. A second time frame would be developed by BLM management to facilitate total event area cleanup and final closeout inspection.
 - d. Information regarding Burning Man emergency procedures shall be disseminated to all affected cooperating agencies. Emergency procedures shall be disseminated to participants by the Burning Man Website, the Burning Man Survival Guide, the Burning Man Greeter function, the BRC radio station and, if needed, other media.
71. In cooperation with emergency services providers and law enforcement agencies BRC LLC or their designated representatives shall, upon learning of them, notify BLM of all accidents related to the event that occur before, during, and after the event, that result in death or personal injury requiring hospitalization. The BLM Incident Commander will be notified immediately of all accidents resulting in death or personal injury requiring hospitalization. Accident reports involving death or injury will be coordinated with the Pershing County Sheriff's Office and/or BLM.
72. The medical contractor shall provide a written summary report of daily medical cases associated with the event to BLM and Pershing County at the cooperators meeting each day during the event; and no later than 60 days after the event shall provide a written final statistical report of such medical cases to BLM.
73. Immediately upon learning of any incident that occurs before, during or after the event that could possibly result in a liability claim, BRC LLC shall confer with BLM and as deemed necessary will submit a detailed written report to BLM.
74. BRC LLC shall provide a minimum of two structural/brush-type fire engines, National Wildfire Coordinating Group (NWCG) type 3-6. Engines and staff must meet NWCG or NWSA (National Wildfire Suppression Association) standards for personnel and equipment. These fire engines will be strategically placed within BRC as determined necessary by the BRC LLC fire contractor.

FEE SCHEDULE

75. BLM shall collect a fee from BRC LLC for the use of public lands for the event. The use fee as set by regulation in 2002 is currently \$4 per participant for each day of the event and is subject to change every 3 years. A participant is defined as any ticket holder or person attending the event, including members of the BRC LLC paid staff and volunteers, that participate in the event. Calculation of the fee for each day of the event will be based upon the population of BRC at noon.
76. Fees shall be remitted to BLM on the following schedule:

<u>Payment</u>	<u>Due Date</u>	<u>Amount</u>
1	70 days before the Event	\$ 150,000
2	30 days before the Event	\$ 200,000
3	14 days after the Event	Balance of fee based upon actual attendance

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COMPLIANCE INSPECTIONS

77. BRC LLC operation and compliance with the terms, conditions and stipulations of the permit will be evaluated through performance inspections before, during and following the event.
78. BRC LLC shall make personnel available immediately after the end of the post-event cleanup period and, if deemed appropriate by BLM, during the spring following the event, to inspect the site with BLM to determine any latent adverse impacts, such as pit depressions, bumps, depressions from roadways, ruts from vehicular traffic, or surfacing buried materials, to ensure that the site is in pre-event condition.
79. Inspections of the event site in the fall after the event, will be coordinated by BLM using randomly placed transects on the site and a measurable cleaning standard. The inspecting party will intensively collect debris found on the ground within each transect. A follow-up spring inspection will be conducted only when deemed necessary by BLM. Post-Event Cleanup Standard: The average total surface area of debris collected from either the fall or spring transects will not exceed the equivalent of 1 square foot per acre.
80. An extension for the completion of the cleanup will be considered if weather or some other catastrophic event interferes with access to the site for cleanup purposes. The permittee shall make a written request to the authorized officer immediately upon such an occurrence.
81. If cleanup studies indicate the cleanup standard has been or is likely to be exceeded, the permit will be suspended until the site has been cleaned up to a level not to exceed 50% of the standard and the operations plan includes reasonable measures to assure that the cleanup standard will not be exceeded during the life of the permit.
82. A multi-year study of the biological and physical process of the playa is anticipated to begin in 2006. The study will be conducted by the Desert Research Institute and is designed to answer a number of unresolved questions about impacts of recreational uses, including the Burning Man event, on sediment production and transport, dune formation and repair, and ecology of aquatic invertebrates. If the results of this study indicate that aspects of the event are contributing to unacceptable changes on the physical or biological properties of the playa environment, the permit may be suspended or modified in a manner that allows recovery for the playa environment.

PERMITTEE ACCEPTANCE

I have read the special stipulations and certify that all event related operations shall be conducted in accordance with the above listed stipulations as well as the 16 terms and conditions listed on the back of the permit form 2930-1. I understand that a violation of any term, condition, or stipulation may result in the cancellation of the Special Recreation Permit authorization.

Permittee Signature

Authorized Officer BRC LLC

Date

Appendix 2 – 2006 Burning Man Permit Application and Standard Stipulations

Form 2930-1 (March 2004) (Formerly 8370-1)	UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT	Bureau of Land Management Received NOV 25 2005 Field Office Winnemucca, Nevada	FORM APPROVED OMB NO. 1004-0119 Expires: June 30, 2007
SPECIAL RECREATION APPLICATION AND PERMIT (43 U.S.C. 1201; 43 U.S.C. 1701; 16 U.S.C. 460 L-6(a); and 43 CFR Group 2280)		Permit No. NVD25-06-01	
Instructions: Complete Items 1 through 18, and return to appropriate BLM Office. (Use additional sheets, if necessary.)		Type or Print Plainly in Ink	
WHEN SIGNED BY AUTHORIZED BLM OFFICIAL, THIS PERMIT AUTHORIZES			
1. <input type="checkbox"/> New Application <input checked="" type="checkbox"/> Renewal of Existing Permit		2. Name of Business or Organization <u>Black Rock City LLC</u>	
3. Your Name <u>William R. Peterson</u>		4. E-mail address (optional) <u>MRKLEAN@BURNINGMAN.COM</u>	
5. Social Security Number or Taxpayer Identification Number <u>104363235</u>			
6. Address (include zip code) <u>1900 Third Street</u> <u>SAN FRANCISCO, CA 94158</u>		7. Phone No. (include area code) <u>415 865 3800 ex 140</u>	
		8. Fax No. (include area code) <u>415 865 3820</u>	
9. Applicant is: <input type="checkbox"/> Sole Proprietor <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Individual (If corporation, attach copy of Articles of Incorporation and Certificate unless already on file.)		<u>(LLC) Limited Liability Company</u>	
10. Name(s) and phone number(s) (include area code(s)) of person(s) authorized to conduct business with BLM concerning the permit. <u>William R. Peterson 415 865 3800 ex. 140</u> <u>MARIAN Goodell 415 865 3800 ex. 104</u>			
11. Application is for (check all that apply): <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Competitive Event <input type="checkbox"/> Organized Groups <input type="checkbox"/> Vending <input type="checkbox"/> Individual			
12. To use the following public lands/related waters (provide name, legal description and/or attach map). <u>see operating plan (forthcoming)</u>			
13. For the following purpose (provide full description of activity or event including number of anticipated participants and spectators). <u>see operating plan (forthcoming)</u>			
14. Dates of proposed use: Beginning Date: <u>see attached calendar</u> Ending Date: <u>see operating plan</u> OR Leave the above dates blank if applying for renewal of multi-year permit.			
15. Describe facilities including water and sanitation facilities you intend to provide, attach operations plans, location maps, and insurance certificate prepayment. (Include your name on each document.) <u>see operating plans</u>			
16. Attach the following documents: Operations Plan, Maps, Certificate of Insurance, Prepayment of Fees, and other documents requested by BLM. (Include your name on each document): <u>forthcoming</u>			
17. Do you have a permit with BLM/USFS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If so, where?			
17a. Have you had a permit previously? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If so, where? <u>Black Rock Desert</u>			
17b. Have you ever been denied or had a permit revoked? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If so, where?			
17c. Have you forfeited a bond or other security? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If so, where?			
17d. Are there any pending investigations against you? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If so, where?			
17e. Have you been convicted of violations regarding natural resources, cultural resources or any activity related to your proposed permit? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If so, where?			

APPLICATION REQUIREMENTS
*(The conditions and stipulations required by
the Bureau of Land Management (BLM) are checked below)*

The following must be submitted before an application is approved and a permit issued. This information must be submitted within _____ days after the date of application:

- ☒ a. A topographic map, showing area of proposed use with routes, parking, staging areas, proposed improvements, and other points of intensive use specifically identified. U.S. Geological Survey (USGS) topographic quadrangle maps are available from USGS offices and from numerous private concerns. *Planning unit maps* are also available at most BLM District Offices to help determine land ownership patterns.
- ☒ b. Applicant must inform other pertinent private landowners and/or public agencies (*law enforcement, highway, fish and game, etc.*). Bureau of Land Management will contact other authorized users of public lands, etc.

- ☒ c. A certificate from an insurer that comprehensive insurance has been obtained for this use or event in the amount specified by the BLM. The certificate must name the U.S. Government as additional insured, and give the BLM 30 days notice of cancellation or modification of such insurance.
- ☒ d. An acceptable bond, surety, cash deposit, or other acceptable guarantee of payment in amount of \$ 15,000 to secure payment of the special recreation use fee and/or mitigation of damages.

PERMITS SUBJECT TO THE FOLLOWING CONDITIONS:
*(The conditions and stipulations required by
the BLM are checked below.)*

- ☒ 1. This permit is issued for the period specified. It is revocable for any breach of conditions or at the discretion of the Bureau of Land Management, at any time upon notice. This permit is subject to valid adverse claims heretofore or hereafter acquired.
- ☒ 2. This permit is subject to all applicable provisions of the regulations (43 CFR Group 2930).
- ☒ 3. This permit is subject to the provisions of Executive Order No. 11246 of September 24, 1965, as amended, which sets forth the Equal Opportunity clauses. A copy of this order may be obtained from the BLM.
- ☒ 4. This permit may not be reassigned or transferred by permittee.
- ☐ 5. Permittee must pay the sum of estimated user fees in advance of permit issuance. Adjustments to use fee charges will be based on actual use reported on the Post Use Report. ~~SCHEDULED PAYMENTS~~
- ☒ 6. Permittee must observe all Federal, State, and local laws and regulations applicable to the premises; to erection or maintenance of signs or advertising displays including the regulations for the protection of game birds and animals, and must keep the premises in a neat, orderly manner, and sanitary condition.
- ☒ 7. Permittee must take all reasonable precautions to prevent and suppress forest, brush, and grass fires, and to prevent polluting of waters on or in vicinity of the public lands.
- ☒ 8. Permittee must not enclose roads or trails commonly in public use.
- ☒ 9. Permittee must pay the United States for any damage to its property resulting from this use.
- ☒ 10. Permittee must notify the BLM of address change immediately.
- ☒ 11. Permittee must not cut any timber on the public lands without prior written permission from the BLM.
- ☒ 12. Permittee must indemnify, defend, and hold harmless the United States and/or its agencies and representatives against and from any and all demands, claims, or liabilities of every nature whatsoever, including, but not limited to, damages to property, injuries to or death of persons, arising directly or indirectly from, or in any way connected with the permittee's use and occupancy of the public lands described in this permit or with the event authorized under this permit.
- ☒ 13. Authorized representatives of the Department of the Interior, other Federal agencies, and game wardens must at all times, have the right to enter the premises on official business.
- ☒ 14. Permittee must abide by all special stipulations attached.
- ☒ 15. Permittee must not disturb archeological and historical values, including, but not limited to, petroglyphs, ruins, historic buildings, and artifacts.
- ☒ 16. Permittee must leave in place any hidden cultural values uncovered through authorized operations.

NOTICES

The Privacy Act of 1974 and the language at 43 CFR 2.48(d) provide that you be furnished the following information.

AUTHORITY: 43 U.S.C. 1201; 43 CFR Group 2930.

PRINCIPAL PURPOSE: BLM will use the information you provide to determine whether or not to issue you a Special Recreation Permit. BLM will use some of the information will determine your qualifications for the permit and the other information to determine the merits of your proposal.

The Paperwork Reduction Act of 1995 requires us to inform you that:

BLM will use the information to determine whether or not to issue you a Special Recreation Permit.

Response to this request is required to obtain a benefit.

BLM would like you to know that you do not have to respond to this or any other Federal agency-sponsored information collection unless it displays a currently valid OMB control number.

ROUTINE USES: BLM will disclose the information according to the release information contained in the regulations at 43 CFR 2.56(d).

EFFECT OF NOT PROVIDING INFORMATION: Disclosing the information is necessary to receive a benefit. Not disclosing the information may result in BLM's rejecting your application.

BURDEN HOURS STATEMENT

Public reporting burden for this form is estimated to average 30 minutes per response, including the time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. Direct comments regarding the burden estimate or any other aspect of this form to U.S. Department of the Interior, Bureau of Land Management, (1004-0119), Bureau Information Collection Clearance Officer (WO-630), 1849 C Street, NW, Mail Stop 401 LS, Washington, D.C. 20240.